

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**WEBSTER COUNTY, MISSISSIPPI BRANCH  
OF THE NAACP and CHERRAYE OATS,  
on behalf of themselves and all the others similarly situated** **PLAINTIFF**

**VS.** **CIVIL ACTION NO.: 3:11cv27-MPM-JMV**

**WEBSTER COUNTY, MISSISSIPPI BOARD OF  
SUPERVISORS; WEBSTER COUNTY, MISSISSIPPI  
DEMOCRATIC PARTY EXECUTIVE COMMITTEE;  
WEBSTER COUNTY, MISSISSIPPI REPUBLICAN  
PARTY EXECUTIVE COMMITTEE; WEBSTER COUNTY,  
MISSISSIPPI BOARD OF ELECTION COMMISSIONERS;  
and DEBORAH HOOD NEAL,  
in her official capacity as Circuit Clerk** **DEFENDANTS**

**and**

**JIM HOOD, ATTORNEY GENERAL FOR THE STATE OF  
MISSISSIPPI, EX REL. THE STATE OF MISSISSIPPI** **INTERVENOR**

**ORDER**

This matter is before the court on the motion of the plaintiffs for leave to conduct discovery on the limited issue of mootness (#63) and the amended motion for discovery (#67). The court finds the motion for discovery to be well taken.

The Fifth Circuit, in *Hancock County Board of Supervisors vs. Ruhr*, 5th Cir. No. 60446, directed that such factual development is necessary. Accordingly, discovery on the mootness issue shall be permitted.

The parties shall have until April 18, 2013 to complete all mootness related discovery. Plaintiffs shall have until February 30, 2013 to designate mootness related experts, if any, and defendants until March 30, 2013 to designate any mootness related experts. Defendants shall have ten days after completion of discovery on mootness to supplement the pending motion to dismiss as moot, and plaintiffs shall have seven days thereafter to supplement their response to

the original and/or supplemented motion to dismiss. The parties are limited to three depositions each, excluding experts (if any), and twenty interrogatories and twenty requests to production and twenty requests to admit.

IT IS, THEREFORE, ORDERED that the plaintiffs' motion to conduct mootness related discovery (#63), supplemented by motion (#67), is hereby GRANTED as detailed in this order.

This, the 23<sup>rd</sup> day of January 2013.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE